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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,523	10/30/2000	Scott A. Wilber	2022/002D1	7309

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PATTON BOGGS
PO BOX 270930
LOUISVILLE, CO 80027

EXAMINER

MAI, TAN V

ART UNIT	PAPER NUMBER
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2124

DATE MAILED: 04/30/2002

#8

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/699,523

Applicant(s)

Examiner

Main, T.

Group Art Unit

2124

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 4-16-02
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 57-66 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 57-66 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) _____.
- ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 3
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

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1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 57-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zuk.

As per independent claims 57, 59 and 66, Zuk discloses the invention substantially as claimed, including: a true random number generator (19), interface (20) and key generation centre KGC (4) [which may be implemented by a personal computer (9)]. It is noted that Zuk does not specifically detail the claimed “**general purpose** personal computer” (claim 57), “means for interfacing” (claims 59 & 66) features; however, these features are well known in the art. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to design the claimed invention according to Zuk’s teachings because the reference is a true random number generator device as claimed.

As per dependent claims 58 and 60-65, the detail features are obvious to a person having ordinary skill in the art.

3. Claims 57-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stankovic et al. (Applicant's admission Prior Art).

As per independent claims 57, 59 and 66, Stankovic et al disclose, e.g., see Fig. 5, the invention substantially as claimed, including: control unit (44) having true random number generator source, e.g., see column 5, lines 28-41, and personal computer (56). It is noted that

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Stankovic et al do not specifically detail the claimed “**general purpose** personal computer” (claim 57) and “means for interfacing” (claims 57, 59 & 66) features; however, these features are well known in the art. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to design the claimed invention according to Stankovic et al’s teachings because the reference is a true random number generator device as claimed.

As per dependent claims 58 and 60-65, the detail features are obvious to a person having ordinary skill in the art.

4. Claims 57-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dias.

As per independent claims 57, 59 and 66, Dias discloses, e.g., see Fig. 1, the invention substantially as claimed, including: a true random number generator (10), interfaces (16 & 29) and CPU (14). It is noted that Dias does not specifically detail the claimed “computer”; however, the CPU (14) should be a part of computer. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to design the claimed invention according to Dias’ teachings because the reference is a true random number generator device as claimed.

As per dependent claims 58 and 60-65, the detail features are obvious to a person having ordinary skill in the art.

5. Claims 57-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vaughan.

As per independent claims 57, 59 and 66, Vaughan discloses, e.g., see Fig. 2, the invention substantially as claimed, including: a true random number generator (80), RS232 (79) and host computer (52). It is noted that Dias does not specifically detail the claimed “**general purpose**

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personal computer" (claim 57) and "means for interfacing" (claims 57, 59 & 66) features; however, the RS232 (79) should be an interface. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to design the claimed invention according to Vaughan's teachings because the reference is a true random number generator device as claimed.

As per dependent claims 58 and 60-65, the detail features are obvious to a person having ordinary skill in the art.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cited references are art of interest.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan V. Mai whose telephone number is (703) 305-9761. The examiner can normally be reached on Tue-Fri from 6:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Morse, can be reached on (703) 308-4789. The fax phone numbers for the organization where this application or proceeding is assigned are:

After-final	(703) 746-7238
Official	(703) 746-7239
Non-Official/Draft	(703) 746-7240.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



TAN V. MAI
PRIMARY EXAMINER